



DEPARTMENT OF THE NAVY
VICE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON DC 20350-2000

IN REPLY REFER TO:
5800
Ser N09/17U100530
30 Oct 2017

From: Vice Chief of Naval Operations
To: Commander, Military Personnel Detachment, Office of Naval Reactors, Department of Energy

Subj: CONSOLIDATED DISPOSITION AUTHORITY FOR ACCOUNTABILITY
ACTIONS RELATING TO THE COLLISIONS AT SEA INVOLVING USS
FITZGERALD (DDG 62) AND USS JOHN S. MCCAIN (DDG 56)

Ref: (a) CNO Delegation of Authority ltr 5402 Ser N00/100040 of 1 Jul 14
(b) CNO Delegation of Authority ltr 5402 Ser N00/17U100044 of 16 Jun 17
(c) R.C.M. 306, Manual for Courts-Martial (2016)
(d) R.C.M. 401, Manual for Courts-Martial (2016)
(e) R.C.M. 601, Manual for Courts-Martial (2016)

1. On June 17, 2017, in the U.S. SEVENTH Fleet area of operations, USS FITZGERALD collided with M/V ACX CRYSTAL resulting in the deaths of seven U.S. Navy Sailors. Sixty-five days later on August 21, 2017, again in the U.S. SEVENTH Fleet area of operations, USS JOHN S. MCCAIN and M/V ALNIC MC collided resulting in the deaths of ten more U.S. Navy Sailors.


2. Separate investigations were convened to examine the facts and circumstances surrounding each collision. After the FITZGERALD collision, accountability actions were taken by the then-Commander, U.S. SEVENTH Fleet. After the MCCAIN collision, accountability actions were taken by the current Commander, U.S. SEVENTH Fleet and Commander, U.S. Pacific Fleet. In addition, following the MCCAIN collision, I directed Commander, U.S. Fleet Forces Command to conduct a Comprehensive Review (CR) of surface fleet operations and incidents at sea over the past decade. The CR's findings, opinions, and recommendations were signed and delivered on October 26, 2017, and provide additional insight into the collisions.

3. The complexity, scope, and tragic consequences of these collisions require that the Navy exercise due diligence in determining whether all appropriate accountability actions have been taken. Therefore, consistent with references (a) through (e), you are designated as the Consolidated Disposition Authority (CDA) for administrative and disciplinary actions related to the FITZGERALD and MCCAIN collisions. As CDA, you have the authority to review all relevant information, including accountability actions taken to date, and to take additional administrative or disciplinary actions as appropriate. All CDA determinations are within your sole discretion and are to be based upon your independent professional judgment.

4. In accordance with reference (c), I withhold the authority of all other Navy commanders to take further disciplinary or administrative actions related to the collisions at sea involving FITZGERALD and MCCAIN.

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5. I appoint Captain Michael Luken, JAGC, USN as your senior legal advisor.
6. By copy of this letter, Commander, Navy Installations Command and Commander, Naval Legal Service Command are directed to provide resources and support, as required.
7. My point of contact for this matter is Commander Dustin E. Wallace, JAGC, USN, at (703) 695-3480 or dustin.e.wallace@navy.mil.


W. F. MORAN
Admiral, U.S. Navy

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